

COBY HOWELL, Senior Trial Attorney
DEVON L. FLANAGAN, Trial Attorney
U.S. Department of Justice
c/o U.S. Attorney's Office
1000 SW Third Avenue
Portland, Oregon 97204-2902
Tel: (503) 727-1023 | Fax: (503) 727-1117
Email: Coby.Howell@usdoj.gov
[Additional counsel listed on signature page]

Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

ALLIANCE FOR THE WILD ROCKIES,

Plaintiff,

vs.

BRENDA BURMAN, Commissioner of the
U.S. Bureau of Reclamation, DAVID
BERNHARDT, Secretary of the U.S.
Department of Interior,

Defendants.

4:20-CV-00022-KLD

JOINT MOTION TO STAY
BRIEFING ON PLAINTIFF'S
MOTION FOR ATTORNEYS'
FEES AND COSTS

Plaintiff and Federal Defendants jointly move for a stay of proceedings on Plaintiff's motion for attorneys' fees and costs for the following reasons:

1. On October 30, 2020, this Court granted Federal Defendants' motion to dismiss and dismissed Plaintiff's case with prejudice. ECF No. 30.
2. On November 13, 2020, Plaintiff moved for attorneys' fees and costs. ECF No. 31. Federal Defendants reserved their position on the motion so they could

review the claim and arguments. *Id.* Federal Defendants' response to this motion is due on November 27, 2020.

3. Without taking a position on the merits of Plaintiff's motion, Plaintiff and Federal Defendants (the "Parties") would like an opportunity to discuss this motion with their clients and with one another prior to further briefing.

4. Accordingly, the Parties seek a 45-day stay of proceedings from the response deadline.

5. If this motion is granted, the Parties will file a status report with the Court on or before January 11, 2021, as to further proceedings. A proposed order is attached.

Dated: November 18, 2020

JEAN E. WILLIAMS
Deputy Assistant Attorney General
U.S. Department of Justice
Environment & Natural Resources Division
SETH M. BARSKY, Section Chief
S. JAY GOVINDAN, Assistant Section Chief
DEVON LEA FLANAGAN, Trial Attorney
(D.C. Bar No. 1022195)

/s/ Coby Howell
COBY HOWELL, Senior Trial Attorney
Wildlife & Marine Resources Section
Ben Franklin Station
P.O. Box 7611
Washington, D.C. 20044-7611
Tel: 202-305-0201/ Fax: 202-305-0275
Email: devon.flanagan@usdoj.gov

Of Counsel:

Bryan Wilson

Attorney-Advisor, Office of the Field Solicitor

U.S. Department of the Interior

Attorneys for Federal Defendants

With permission: /s/

Rebecca K. Smith, Attorney at Law

Public Interest Defense Center, P.C.

PO Box 7584

Missoula, MT 59807

Tel: (406) 531-8133

Fax: (406) 830-3085

CERTIFICATE OF SERVICE

I hereby certify that the foregoing is filed with the Clerk of the Court using the CM/ECF system which will cause a copy to be served upon counsel of record.

/s/Coby Howell

Attorney for Federal Defendants